

## Frequently Asked Questions on the Gulf of Mexico Reef Fish Vessel Monitoring System (VMS)

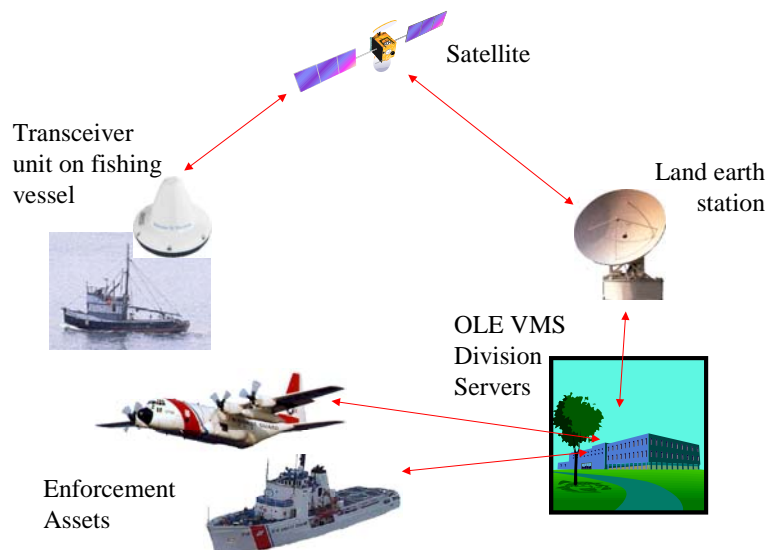
### Background

Part of the proposed rule for Amendment 18A to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico would implement VMS in the commercial reef fish fishery. This requirement was developed by the Gulf of Mexico Fishery Management Council and is currently under review by the Secretary of Commerce. Comments on the VMS requirement, as well as other aspects of the proposed rule, are being solicited. For information on how to submit comments, see [Fishery Bulletin FB06-022](#).

Management measures for the Gulf of Mexico reef fish fisheries include several area-specific regulations where reef fish fishing is restricted or prohibited in order to protect habitat or spawning aggregations, or to reduce fishing pressure in areas that are heavily fished. Unlike size, bag, and trip limits, where the catch can be monitored onshore when a vessel returns to port, area restrictions require at-sea enforcement. However, at-sea enforcement of restricted offshore areas is difficult. VMS allows NOAA Fisheries Service Office for Law Enforcement (OLE) to monitor vessels over vast expanses of open-water while maintaining the confidentiality of fishing operations. VMS allows OLE to use modern day technology to monitor compliance, track violations, and provide substantial evidence for prosecution while maintaining the integrity of the individual fisherman's effort. In addition, some VMS provide an optional safety mechanism with a 'panic button' that can be activated during a vessel emergency and United States Coast Guard assets can be directed to the vessel's last known position.

### What is VMS?

VMS is a satellite-based vessel-monitoring program. VMS consists of a mobile transceiver unit placed on the vessel, a communications service provider that supplies the wireless link between the unit on the vessel and OLE, and a secure OLE facility where staff can monitor compliance.



**Who needs VMS?**

An operating VMS would be required on all vessels permitted for the commercial reef fish fishery in the Gulf of Mexico if Amendment 18A is implemented. This includes commercial reef fish vessels as well as for-hire vessels with both a reef fish moratorium permit and a commercial reef fish permit. Between 1,100 and 1,200 vessels would be required to have VMS onboard.

**When will VMS become mandatory?**

Any vessel with a commercial reef fish permit will be required to have operable VMS onboard 120 days after the final rule implementing VMS goes into effect.

**Do I need to declare what type of fishing trip I will be taking prior to leaving the dock?**

Yes. Prior to departure for each trip, each vessel owner or operator must report their planned fishing activity (e.g., reef fish, shark, swordfish, tuna, mackerel), and the gear onboard the vessel (e.g., pelagic longline, bottom longline, vertical line gear). NOAA Fisheries Service-defined codes for fishing activity and gear can be sent via the VMS terminal (computer) or through a NOAA Fisheries Service call-in system accessed by calling the VMS Support Center 24-hour toll-free number at 888-219-9228. Fishing activity codes will be supplied to fishermen when the system becomes operational. If multiple trips occur each day, the declaration must be submitted prior to each trip.

**When do I have to run the VMS?**

Once the program goes into effect, the VMS must be able to send a signal at least once an hour, 24 hours a day, seven days a week, throughout the year. The VMS system can be turned off under certain circumstances and a power-down exemption must be applied for by the vessel permit holder.

**When can I apply for a power-down exemption?**

A vessel owner can apply for a power-down exemption from OLE if:

- The vessel will be continuously out of the water for more than 72 consecutive hours, or
- Vessels fishing with both a valid commercial and for-hire reef fish permit can sign out of the VMS program for a minimum period of 1 calendar month. The vessel would not be able to conduct commercial fishing operations until the VMS unit is turned back on and OLE personnel verify consistent position reports.

**Will the VMS on my vessel only send a signal once per hour?**

No. NOAA Fisheries Service will define buffer zones of one nautical mile around some restricted fishing areas. Once a vessel enters a defined buffer zone, the VMS unit reporting rate will be increased to every 15 minutes at the vessel owner's expense. If the vessel then departs the buffer zone and enters the restricted area, the VMS unit reporting rate will be increased to every 10 minutes until it departs the restricted area and/or the buffer zone. Once the vessel departs the buffer zone and or restricted area, the VMS unit reporting rate will then resume hourly reporting. In some cases, NOAA Fisheries Service may initiate at its discretion and expense, the transmission of a signal indicating the

vessel's accurate position, at least six times per hour, 24 hours a day, for all vessels that are required to have a VMS.

**How much do VMS units cost and where can they be purchased?**

Current estimates of purchasing VMS units, including installation by a qualified marine electrician, range from \$1,600 to \$2,900. Yearly communication costs range from \$432 to \$617. Type-approved units and communication providers will be identified in the final rule. Unless a reimbursement program becomes available, the permit holder will be responsible for installation, maintenance, and yearly communication costs.

**Is there a reimbursement program?**

At this time, there is no reimbursement program. Commercial reef fish permit holders will be contacted should such a program be developed.

**How do I get my VMS installed and operating?**

Only a VMS that has been approved by NOAA Fisheries Service for use in the Gulf of Mexico reef fish fishery may be used, and a qualified marine electrician must install it. When installing and activating the NOAA Fisheries Service approved VMS, or when reinstalling and reactivating such VMS, the vessel owner or operator must:

- Follow procedures indicated on an installation and activation checklist available from OLE;
- Submit to OLE a statement certifying compliance with the checklist, as prescribed on the checklist.
- Submit to OLE a vendor-completed installation certification checklist, which is available from OLE.

Checklists may be received from, and submissions may be made to:

NOAA Fisheries Service  
Office for Law Enforcement, Southeast Region  
263 13th Avenue South  
St. Petersburg, Florida 33701  
phone: (800) 758-4833; Fax: (727) 824-5318

**What if I need to transfer my VMS from one vessel to another or sell my VMS to another reef fish permit holder?**

The same procedures for installing and operating a VMS outlined above would need to be followed. OLE must be able to confirm to which vessel the VMS unit has been transferred.

**Are data regarding my vessel's location confidential?**

Location data for your vessel(s) is confidential and will not be shared with anyone without written authorization for its release by you; except that the location data can be disclosed to those responsible for Federal Fisheries Management and/or Enforcement, or when required by a court order. Individuals can request their location data only for their

permitted vessel(s). Computers and monitors showing vessel location data are kept in secured rooms with restricted access to authorized personnel.

**What do I do if I am out fishing and my VMS stops working?**

Regulations require the VMS to be operational. If you discover your unit is not working, contact OLE and they will assist in troubleshooting the system. If OLE still cannot receive a signal from your vessel, they will provide the captain of the vessel with the appropriate guidance. The VMS Support Center can be contacted either through the VMS terminal or by calling the 24-hour toll-free number at 888-219-9228

**Who are the NOAA Fisheries Service contacts for VMS questions?**

Office for Law Enforcement, Southeast Region

Phone: (800) 758-4833

Fax: (727) 824-5318